

REMARKS

Claims 1-12 and 16-26 are pending in this application. Claims 1, 16, 18, 19 and 20 are amended and claims 27-37 are added herein.

Claims 1, 16, 18, 19 and 20 are independent.

Claims 1-12 and 16-26 stand rejected under 35 U.S.C. 102(b), as anticipated by Yoseloff et al. (U.S. Patent 6,311,976 B1). The rejection is respectfully traversed.

**The Independent Claims Presented Prior to Amendment Herein
Distinguished Over Yoseloff**

Yoseloff discloses a reel game machine in which numbers corresponding to symbols are aligned on a reel and one of the numbers is selected at by a selection or main lottery as a reel stop position. Yoseloff does not disclose that the reel game machine can separately and independently select symbols to be displayed above and below the selected reel stop position symbol. For example, in the display of reel symbols shown in FIG. 1 of Yoseloff, when the symbol "utility" is selected by a lottery as the reel stop position symbol for the far left reel depicted, the "dollar" symbol displayed above the "utility" symbol, and the "graph" symbol displayed below the "utility" symbol are automatically, simultaneously selected by that same lottery by default, and are not separately and independently selected by another lottery. Indeed, there is no need in Yoseloff to select the "dollar" and the "utility" symbols using other lotteries or independently from the selection of the symbol "utility", and in fact to do so would violate a principle of operation of Yoseloff.

On the other hand, according to the present invention each cell of a matrix (e.g. a matrix in the form of a bingo card) having at least one combination of symbols that match a first predetermined winning combination for a game (e.g. a poker or mahjong game) can be selected by a separate lottery independently from the selection of other of symbols, including those of the symbols that form a winning combination. For example, in the left most column of the matrix shown in

FIG. 7 of the present application, if the "queen of clubs" symbol is selected by a lottery (e.g. a main or selection lottery), the "jack of hearts" symbol and "ace of spades" symbol displayed above the "queen of clubs" symbol, and the "five of diamonds" symbol and "king of spades" symbol displayed below the "queen of clubs" symbol are not automatically and simultaneously also selected by default. Rather, the symbols above or below the "queen of clubs" symbol must be separately and independently selected by other lotteries if they are to be made effective.

In the remarks submitted with Amendment filed on February 21, 2007 in response to a prior Official Action, it was pointed out that the claimed invention is distinguishable over Yoseloff because Yoseloff does not disclose multiple separate lotteries for the selection of multiple different symbols to make effective symbols within a matrix of allocated symbols.

In the Response to Arguments on pages 5-6 of the final Office Action, it is asserted that the argument is not persuasive because "[r]eel games include reels whose stopping position is governed by a random number generator for each reel. In the present embodiment, five cells are provided where a card/cell value is randomly selected for each, and where a separate random selection occurs for each card/cell (col. 5, Ins. 9 - 17). Applicant maintains that the claimed invention distinguishes because each cell is independently stopped using a different random number generation. However, this feature is not claimed. Applicant only cites that each symbol is stopped by a main lottery. In an embodiment where reels are used, groups of symbols (symbols occurring on the same reel) are independently selected at random. No claim is made of a random number generation for each symbol."

While it is acknowledged that "[r]eel games include reels whose stopping position is governed by a random number generator for each reel," this does not mean that "a separate random selection occurs for each card/cell." Nor does Yoseloff suggest that it does. Rather, in a reel game a separate random

selection occurs for each reel (not for each card/cell). That is, if there are 10 symbols (e.g. symbols depicting cards) on each of 3 reels, the reel game cannot make a separate selection (random or otherwise) of each of the 10 symbols, but instead is limited to making only a single random selection of 1, and not more than 1, of the 10 symbols on each of the reels. The reference in the final Official Action to column 5, lines 9-17, is not understood, since this disclosure is describing an invention in another patent which does not relate to a reel game and does not relate to any embodiment of the Yoseloff invention.

Contrary to the contention in the final Official Action, Applicant does not maintain “that the claimed invention distinguishes because each cell is independently stopped using a different random number generation” or only cite “that each symbol is stopped by a main lottery. In an embodiment where reels are used, groups of symbols (symbols occurring on the same reel) are independently selected at random.”

What was claimed prior to amendments presented herein and what remains claimed is:

Independent claim 1

a symbol allocating device for allocating symbols to the respective cells [of a matrix containing a plurality of cells] such that each cell is selected by lottery [Note that this is a lottery for allocating symbols and is different than the main lotteries used to select symbols, that are in turn used to determine which of the cells with the allocated symbols are to be made effective] and at least one combination of cells, which is composed of a same number of allocated symbols as the row or column cell number and which includes allocated symbols that match a first predetermined winning combination having a first predetermined rank under a predetermined condition, is aligned along a first line among lines contained in the matrix; and

a disbursement value determination device for determining a predefined amount of disbursement or a multiplier corresponding to bets made by the player for computing an amount of disbursement depending on the first predetermined

rank, if all cells with allocated symbols along the first line become effective after the predetermined number of lotteries [i.e. the main lotteries] are made [with each corresponding cell becoming effective if the allocated symbol to the corresponding cell is selected by a main lottery].

It is respectfully submitted that Yoseloff lacks any teaching or suggestion of (i) allocating symbols to the respective cells of a matrix containing a plurality of cells such that each cell is selected by a first lottery and at least one combination of cells aligned along a first line contained in the matrix includes allocated symbols that match a first predetermined winning combination, and (ii) computing an amount of disbursement if all cells with allocated symbols along the first line become effective after a predetermined number of second lotteries are made, with each cell becoming effective if the allocated symbol to the corresponding cell is selected by one of the second lotteries. Accordingly, Yoseloff lacks the claimed symbol allocating device and disbursement value determination device.

Independent claim 16

a symbol allocating device for allocating symbols to the respective cells [of a matrix containing a plurality of cells] such that at least one combination of cells, which is composed of a same number of allocated symbols as the row or column cell number and which includes allocated symbols that match a predetermined winning combination having a predetermined rank under a predetermined condition, is aligned along a line among lines contained in the matrix; and

a disbursement value determination device for determining amount of disbursement or a multiplier corresponding to bets made by the player for computing an amount of disbursement depending on the predetermined rank, if all cells with allocated symbols along the first line become effective after the predetermined number of lotteries [i.e. the main lotteries] are made [with each corresponding cell becoming effective if the allocated symbol to the corresponding cell is selected by a main lottery].

It is respectfully submitted that Yoseloff lacks any teaching or suggestion of (i) allocating symbols to the respective cells of a matrix containing a plurality of

cells such that at least one combination of cells aligned along a first line contained in the matrix includes allocated symbols that match a first predetermined winning combination, and (ii) computing an amount of disbursement if all cells with allocated symbols along the first line become effective after a predetermined number of main lotteries are made, with each cell becoming effective if the allocated symbol to the corresponding cell is selected by one of the main lotteries. Accordingly, Yoseloff lacks the claimed symbol allocating device and disbursement value determination device.

Independent claim 18

a symbol allocating device for allocating symbols to the respective cells [of a matrix containing a plurality of cells] such that at least one combination of cells, which is composed of a same number of allocated symbols as the row or column cell number and which includes allocated symbols that match a first predetermined winning combination having a first predetermined rank under a predetermined condition, is aligned along a first line among lines contained in the matrix; and

a disbursement value determination device for determining a predefined amount of disbursement or a multiplier corresponding to bets made by the player for computing an amount of disbursement depending on the first predetermined rank, if all cells with allocated symbols along the first line become effective after the predetermined number of lotteries [i.e. the main lotteries] are made [with each corresponding cell becoming effective if the allocated symbol to the corresponding cell is selected by a main lottery].

It is respectfully submitted that Yoseloff lacks any teaching or suggestion of (i) allocating symbols to the respective cells of a matrix containing a plurality of cells such that at least one combination of cells aligned along a first line contained in the matrix includes allocated symbols that match a first predetermined winning combination, and (ii) computing an amount of disbursement if all cells with allocated symbols along the first line become effective after a predetermined number of main lotteries are made, with each cell

becoming effective if the allocated symbol to the corresponding cell is selected by one of the main lotteries. Accordingly, Yoseloff lacks the claimed symbol allocating device and disbursement value determination device.

Independent claim 19

a symbol allocating device for allocating symbols to the respective cells [of a matrix containing a plurality of cells] such that at least one combination of cells, which is composed of a same number of allocated symbols as the row or column cell number and which includes allocated symbols that match a first predetermined card game winning combination having a first predetermined rank under a predetermined condition, is aligned along a first line among lines contained in the matrix; and

a disbursement value determination device for determining a predefined amount of disbursement or a multiplier corresponding to bets made by the player for computing an amount of disbursement depending on the first predetermined rank, if all cells with allocated symbols along the first line become effective after the predetermined number of lotteries [i.e. the main lotteries] are made [with each corresponding cell becoming effective if the allocated symbol to the corresponding cell is selected by a main lottery].

It is respectfully submitted that Yoseloff lacks any teaching or suggestion of (i) allocating symbols to the respective cells of a matrix containing a plurality of cells such that at least one combination of cells aligned along a first line contained in the matrix includes allocated symbols that match a first predetermined winning combination, and (ii) computing an amount of disbursement if all cells with allocated symbols along the first line become effective after a predetermined number of main lotteries are made, with each cell becoming effective if the symbol allocated to the corresponding cell is selected by one of the main lotteries. Accordingly, Yoseloff lacks the claimed symbol allocating device and disbursement value determination device.

Independent claim 20

allocating symbols for the combination-making game to the respective cells [of a matrix containing a plurality of cells] in accordance with an allocation lottery such that a first combination of cells, which are (i) aligned along a first of multiple lines in the matrix and (ii) equal in number to the number of cells in each row, includes allocated symbols matching a first predetermined winning combination with a first predetermined win rank;

performing multiple selection lotteries, after the symbols have been allocated to all of the cells forming the matrix, to select multiple different symbols;

making effective those of the cells that have an allocated symbol matching one of the selected multiple different symbols;

determining whether or not all the cells that have the first combination of allocated symbols have been made effective; and

if all the cells that have the first combination of allocated symbols are determined to have been made effective, determining a win amount based on the first predetermined win rank.

It is respectfully submitted that Yoseloff lacks any teaching or suggestion of (i) allocating symbols to the respective cells of a matrix containing a plurality of cells in accordance with a first lottery such that a combination of cells aligned along a first line contained in the matrix includes allocated symbols that match a first predetermined winning combination, and (ii) performing multiple selection lotteries, after the symbols have been allocated to all of the cells forming the matrix, to select multiple different symbols, (iii) making effective those of the cells of the matrix that have an allocated symbol matching one of the selected multiple different symbols, (iv) determining whether or not all the cells that have the first predetermined winning combination of allocated symbols have been made effective, and (v) if all the cells that have the first combination of allocated symbols are determined to have been made effective, determining a win amount. Accordingly, Yoseloff lacks the claimed allocating, performing, making effective, determining.

The Amended Independent Claims Distinguish Over Yoseloff

As discussed above in detail, each of the independent claims prior to amendment herein patentably distinguished over the applied prior art. Accordingly, it should be understood that the amendments to the independent claims presented herein are made for purposes other than patentability.

In accordance with the amendments, each of the independent claims explicitly requires that the matrix of cells remain static during the play of the game. As discussed above, Yoseloff discloses a reel game in which each reel necessarily rotates (or appears to rotate) during the game. Thus, to the extent Yoseloff can reasonably be read as disclosing a matrix of cells, it is respectfully submitted that those cells, and hence the matrix, must rotate or otherwise change during play of the game and therefore such a matrix does not (and cannot) remain static.

The Dependent Claims Further Distinguish Over Yoseloff

It is respectfully submitted that other features recited in the dependent claims further distinguish over the applied prior art. For example:

Claims 27-32

Each of these claims requires that (i) the matrix is a player selected one of a plurality of matrixes, and (ii) symbols be allocated to respective cells of each of the other of the plurality of matrixes such that at least one combination of cells, which includes allocated symbols that match a predetermined winning combination, is aligned along a first line among lines contained in that matrix, and symbols are randomly allocated to other than the cells in which a winning combination of symbols is allocated.

It is respectfully submitted that Yoseloff lacks any disclosure of a player selected one of a plurality of matrixes or of the allocation of symbols to a plurality of matrixes as required in these claims.

Claims 33-37

Each of these claims requires that (i) one or more cells of any row or column of the matrix may become effective during play of a game, and (ii) the

symbols be allocated before the initial one of the predetermined number of main lotteries or of the selection lotteries is performed.

It is respectfully submitted that Yoseloff lacks any disclosure of the capability to have either one cell or more than one cell of any row or column of the matrix become effective during play of a game. Indeed, in Yoseloff only one cell in any one column (i.e. on any one reel) or any one row can become effective during the play of a game. Furthermore, to the extent that Yoseloff can be reasonably read to disclose an allocation of symbols, nowhere does Yoseloff suggest that symbols could or should be allocated by a gaming machine or server before the initial one of the lotteries is performed to select the stop symbol on a particular reel, as requires by claims 33-36.

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In view of the foregoing, it is respectfully submitted that the application is in condition for allowance and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed local telephone number, in order to expedite resolution of any remaining issues and further to expedite passage of the application to issue, if any further comments, questions or suggestions arise in connection with the application.

To the extent necessary, Applicants petition for an extension of time under 37 CFR § 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to the Deposit Account No. 01-2135 (Case No.1227.42916x00) and please credit any excess fees to such Deposit Account.

Respectfully submitted,
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